

**DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION**Docket No. WW050USUCustomer No.: 27,623

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor of the subject matter that is claimed and for which a patent is sought on the invention entitled:

**GEARBOX MODULE**

the specification of which

(check one) \_\_\_\_\_ is attached hereto.

**XXX** was filed on **March 17, 2006** as Application Serial No. **10/572,350**  
and was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to the examination of this application as defined in Title 37, Code of Federal Regulations, §1.56 and §1.63(e).

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a) – (d) or (f) or Section 365(b) of any foreign application(s) for patent or inventor's or plant breeder's rights certificate(s) or Section 365(a) of any PCT International Application which designated at least one country other than the United States listed below and have also identified below, by checking the box, any foreign application(s) for patent or inventor's certificate(s) or PCT International application having a filing date before that of the application on which priority is claimed:

| <u>Prior Foreign Application(s)</u>  |                             |  | <u>Priority Claimed</u> |
|--------------------------------------|-----------------------------|--|-------------------------|
| <u>103 43 972.2</u><br>(Number)      | <u>Germany</u><br>(Country) | <u>19 September 2003</u><br>(Day/Mon/Year Filed) | <u>X</u> Yes ___ No     |
| <u>PCT/EP2004/009765</u><br>(Number) | <u>Europe</u><br>(Country)  | <u>2 September 2004</u><br>(Day/Mon/Year Filed)  | <u>X</u> Yes ___ No     |
| _____<br>(Number)                    | _____<br>(Country)          | _____<br>(Day/Mon/Year Filed)                    | ___ Yes ___ No          |

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

|                                   |                        |   |
|-----------------------------------|------------------------|---|
| _____<br>(Application Serial No.) | _____<br>(Filing Date) | _____<br>(Status - patent, pend., abandon.) |
| _____<br>(Application Serial No.) | _____<br>(Filing Date) | _____<br>(Status - patent, pend., abandon.) |
| _____<br>(Application Serial No.) | _____<br>(Filing Date) | _____<br>(Status - patent, pend., abandon.) |

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

|                                   |                        |   |
|-----------------------------------|------------------------|---|
| _____<br>(Application Serial No.) | _____<br>(Filing Date) | _____<br>(Status - patent, pend., abandon.) |
| _____<br>(Application Serial No.) | _____<br>(Filing Date) | _____<br>(Status - patent, pend., abandon.) |

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

| NAMES                 | REGISTRATION NUMBERS |
|-----------------------|----------------------|
| Charles N.J. Ruggiero | 28,468               |
| Paul D. Greeley       | 31,019               |

| SEND CORRESPONDENCE TO:  | DIRECT TELEPHONE CALLS TO:  |
|--|---|
| Charles N.J. Ruggiero<br>Ohlandt, Greeley, Ruggiero & Perle, L.L.P.<br>One Landmark Square, 10 <sup>th</sup> Floor<br>Stamford, Connecticut 06901-2682 | Charles N.J. Ruggiero<br>Telephone: (203) 327-4500<br>Telefax: (203) 327-6401 |

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

|                         |                                    |  |                              |
|-------------------------|------------------------------------|--|------------------------------|
| FULL NAME OF INVENTOR   | LAST NAME<br><b>KLEMENT</b>        | FIRST NAME<br><b>WERNER</b>                    | MIDDLE NAME                  |
| RESIDENCE & CITIZENSHIP | CITY<br><b>HEIDENHEIM</b>          | STATE OR COUNTRY<br><b>GERMANY</b>             | CITIZENSHIP<br><b>GERMAN</b> |
| POST OFFICE ADDRESS     | P.O. ADDRESS<br><b>TAUBENWEG 6</b> | CITY & STATE<br><b>HEIDENHEIM,<br/>GERMANY</b> | ZIP CODE<br><b>89520</b>     |

Inventor's signature  Date June 20, 2006  
**Werner KLEMENT**

**ASSIGNMENT**

FOR valuable and legally sufficient considerations, receipt of which is hereby acknowledged, I, Werner KLEMENT a citizen of the Germany, and a resident of Taubenweg 6, 89520 Heidenheim, Germany has invented certain new and useful improvements in

**GEARBOX MODULE**

and hereby assign to VOITH TURBO GMBH & CO. KG., a German corporation having its principal office at Alexanderstrasse 2, 89522 Heidenheim, Germany (hereinafter referred to as "Assignee"), the entire right, title and interest in and to such invention, together with the patent rights and rights of protection to the same throughout the world, including any patent rights which may result from the application for United States Letters Patent which was filed in the United States Patent and Trademark Office on March 17, 2006 and assigned Application Serial No. 10/572,350, and any continuation, divisions, continuation-in-part applications, inventor's certificates and extensions thereof, preparatory to obtaining Letters Patent of the United States therefor; said invention, application and Letters Patent to be held and enjoyed by said Assignee for its own use and behoof and for the use and behoof of its successors and assigns, to the full end of the term for which said Letters Patent or other rights of protection may be granted as entirely as the same would have been held and enjoyed by me had the assignment not been made.

AND I COVENANT and AGREE and WARRANT that I have full and unencumbered title to the invention hereby assigned, and I further covenant and agree that I have the right to grant such rights to said invention and application and Letters Patent and that I will, at any time upon request without further compensation, execute and deliver any and all papers or instruments that, in the opinion of the Assignee, may

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be necessary or desirable to secure said Assignee the full enjoyment of the rights and properties herein conveyed or intended to be conveyed by this instrument.

IN WITNESS WHEREFORE, I have hereunto set my hand and seal:

Date: June 20, 2006 Werner Klement  
By: Werner KLEMENT

Martin Becke  
(Printed name of witness)

Martin Becke  
(Signature of witness)

Grüner Weg 6  
89075 Ulm  
Germany  
(Address of witness)